

**Notice of Allowability**

Application No.

10/710,909

Examiner

PHUC T. DANG

Applicant(s)

ANDERSON ET AL.

Art Unit

2818

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed July 26, 2005.
2. ☒ The allowed claim(s) is/are 1-16 and 21-24 (renumbered as in new claims 1-20).
3. ☒ The drawings filed on 12 August 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

PHUC T. DANG  
PRIMARY EXAMINER

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### DETAILED ACTION

1. Claims 1-16 and 21-24 are allowed.

Claims 1-16 and 21-24 are renumbered as in new claims 1-20.

2. The following is an examiner's statement of reasons for allowance:

None of the prior art teaches a method for fabricating a semiconductor structure, the method comprising the step of forming a gate stack on top of the gate dielectric layer, wherein the gate stack is electrically isolated from the semiconductor channel region by the gate dielectric layer, wherein the gate stack comprises a gate region on top of the gate dielectric layer, and a gate stack mask on top of the gate region, wherein the gate stack mask comprises a gate mandrel and first and second gate spacers, and wherein the gate mandrel is sandwiched between the first and second gate spacers in combination with the other steps found in each of the independent method claims 1 and 14.

None of the prior art teaches a semiconductor structure comprising first and second gate spacers on the gate electrode region, wherein the gate mandrel is sandwiched between the first and second gate spacers, wherein a first side wall of the first gate spacer is essentially aligned with a second side wall of the gate electrode region, and wherein a third side wall of the second gate spacer is essentially aligned with a fourth side wall of the gate electrode region in combination with the other structure of independent apparatus claim 21.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance".

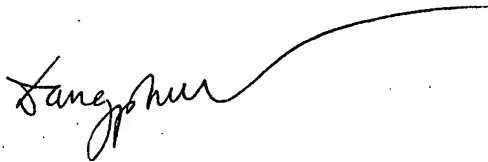
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuc T. Dang whose telephone number is (571) 272-1776. The examiner can normally be reached on 8:00 am-5:00 pm.

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David C. Nelms can be reached on (571) 272-1787. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and After Final communications.

6. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Phuc T. Dang

PT

A handwritten signature in black ink, appearing to read "Phuc T. Dang", with a long, sweeping horizontal line extending to the right.

Primary Examiner

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